DOCUMENT RESUME

ED 393 203 EA 027 468

AUTHOR Egelston, Darlene L.; Egelston, Richard L.
TITLE How Knowledgeable Are New York State School Board Members about Their Role, Responsibilities, and Scope of Authority?
PUB DATE Oct 95
NOTE 33p.; Paper presented at the Annual Meeting of the Northeastern Educational Research Association (Ellenville, NY, October 25, 1995).
PUB TYPE Speeches/Conference Papers (150) -- Reports - Research/Technical (143) -- Tests/Evaluation Instruments (160)

EDRS PRICE MF01/PC02 Plus Postage.
DESCRIPTORS *Administrator Attitudes; Administrator Responsibility; *Administrator Role; *Board of Education Role; *Boards of Education; Codes of Ethics; Compliance (Legal); Conflict of Interest; Elementary Secondary Education; *Ethics; Policy Formation; State Legislation
IDENTIFIERS *New York

ABSTRACT

Membership on a board of education had been referred to as the most ill-defined position in local government. This paper presents findings of a study that examined the perceptions of experienced New York State school board members concerning 20 policy-formation and administrative activities. The respondents were asked to indicate whether a board of education member had a role, responsibility, or the authority to undertake the activity listed. Surveys mailed in the winter of 1993-94 to 300 sitting members of local school boards across New York elicited 105 responses. There was 90 percent agreement for 3 of the 20 statements. When the percentage of agreement was lowered to 75 percent, there was agreement on only half of the items. Eight activities had been reviewed by the Commissioner and the courts. There was less than 90 percent agreement among the respondents on all eight of the activities, and less than 75 percent agreement on six of the eight activities. Highest percentages of agreement were found for the following items: "having your own children receive special consideration," and "serving on board subcommittees." Respondents disagreed most on "evaluating an administrator at his or her own request," and "at your own expense publishing or making public distributions of your own opinions of board issues." The findings show a substantial amount of disagreement among board members regarding the scope of their authority on some very general issues. Although most respondents had received inservice training, they held misperceptions about their responsibilities. The discrepancies among perceptions may be due to personal experiences and the realities of school administration. Additional inservice training is recommended. Two tables (including the survey instrument with results) and one figure are included. (Contains 47 references.) (Author/LMI)

ED 393 203

How Knowledgeable Are New York State School Board Members About Their Role, Responsibilities, and Scope of Authority?

Darlene L. Egelston and Richard L. Egelston

New York State Education Department

Papaer presented at the Annual Meeting of the

Northeastern Educational Research Association

October 25, 1995 at Ellenville, NY

U.S. DEPARTMENT OF EDUCATION
Office of Educational Research and Improvement
EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)

☑ This document has been reproduced as received from the person or organization originating it.

☐ Minor changes have been made to improve reproduction quality.

• Points of view or opinions stated in this document do not necessarily represent official OERI position or policy.

"PERMISSION TO REPRODUCE THIS MATERIAL HAS BEEN GRANTED BY

D. Egelston

TO THE EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)."

EA 027 468

Running Head: How Knowledgeable Are . . .

BEST COPY AVAILABLE

Abstract

This study reports the perceptions of experienced New York State school board members concerning 20 major activities with which they might wish to become involved regarding setting district policy, or in the day-to-day operations of the district. There was agreement by 90 percent of the respondents in their perceptions for three of the 20 statements. When the percentage of agreement was lowered to 75 percent, respondents agreed on only one-half of the items. There was less than 90 percent agreement among the respondents on all eight of the activities which had been reviewed by the Commissioner or the courts, and less than 75 percent agreement on six of the eight. In fact, on four of the eight items the perceptions of the majority of respondents was in error. Highest percentages of agreement were found on: "having your own children receive special consideration", and "serving on board subcommittees." Among those items where there was the most disagreement in the perceptions of the authority of board members were "evaluating an administrator at his or her own request," and "at your own expense publishing or making public distributions of your own opinions of board issues." Thus, a substantial amount of disagreement exists among school board members regarding the scope of their authority on some very general issues, and there is need for inservice training.

How Knowledgeable Are New York State School Board Members About Their Role, Responsibilities, and Scope of Authority?

The reasons why citizens choose to run for seats on their local school boards vary widely. They may be using the opportunity to test political waters (Marlowe, 1979; Carpenter, 1990; Task Force on School Governance, 1992), to address specific issues or concerns (Jakes, 1983), or for some type of personal gain (Rada, 1987, 1988; Bryant and Grady, 1990; Carpenter, 1990). Some people express a generalized interest in education and/or community service of some type (Marlowe, 1979; Tillman, 1986; Cameron, 1987), and therefore wish to serve in order to "improve education" in their community, or to fulfill a civic duty or responsibility (Gross, 1958). Others run with a specific agenda in mind, for example, keeping taxes low, expanding or preserving a particular program, or abolishing a particular position (Jakes, 1983; Hayden, 1986; Carpenter, 1990). In any event newly-elected school board members bring to the board an agenda defined in terms of their personal needs and expectations. Personal success is thus measured by achievement relative to the issue(s) that led them to run for office.

Once seated on the board, new members' perception of their roles and responsibilities are influenced by many other factors, such as their pre-incumbency experiences, awareness of applicable Federal and New York State laws and regulations, decisions of the Commissioner of Education, court decisions, and nonregulatory guidance. School boards are state agencies which execute a local function, and new board members often do not understand the extent of their authority (Cohen, 1985; Hayden, 1986). It has been said that a novice member's first year is spent learning what is happening, while the

second year marks the onset of understanding, and the third year is spent running for re-election (Hayden, 1986).

Legally, a school board is in complete charge of the total organization of the school. As a duly elected (or appointed) body, the local school board acts as an agent of the state government and derives its authority from law. As such an agent, a local school board is responsible for carrying out the mandate entrusted to it by the state legislature; it has no other authority (Leone v. Hunter, 1959; Russo, 1992). A board of education is responsible for making decisions, formulating policies, developing programs, employing appropriate personnel, managing the use of physical facilities, providing educationally-related services, and levying taxes (Callahan, 1975). These responsibilities are defined by statute, interpreted by courts, and in some cases, expanded by local custom. New York State has provided a rather broad definition of school board powers. Education Law Section 1709 states that, each board of education shall have the power and duty

> . . . to have in all respects the superintendence, management, and control of the educational affairs of the district, and, therefore, shall have all the powers reasonably necessary to exercise powers granted expressly, or by implication and to discharge duties imposed expressly or by implication by this chapter or other statute.

"The said board of education of every . . . school district shall have power, and it shall be its duty:

1. to adapt such by-laws and rules . . . as shall seem proper;
2. to establish such rules and regulations concerning the order and discipline of the schools . . . as they deem necessary;
3. to prescribe the course of study . . . and to regulate the admission of

pupils and their transfer;

4. to prescribe the textbooks . . . and to furnish the same;

5. to make provision for the instruction of pupils;

6. to purchase sites, or additions thereto, for recreation grounds, for agricultural purposes, and for schoolhouses . . . to construct such . . . to operate the facilities . . . to purchase furniture and apparatus for such . . . to keep the furniture and apparatus in repair . . . and to purchase implements, supplies, and apparatus;

7. to lease, on a temporary basis, necessary space not located on school property . . . and to furnish and equip such space for school district use;

8. to insure the schoolhouses and their furniture, apparatus, and appurtenances, and the school library;

9. to take charge and possession of the schoolhouses, sites, lots, furniture, books, apparatus, and all school property within its district;

10. to alter and equip for use as a public library any former schoolhouse or part thereof;

11. to sell . . . any former school site or lot, or any real estate the title to which is vested in the board;

12. to take and hold . . . any real estate transferred to it by gift, grant, bequest, or device, or any gift, legacy, or annuity, of whatever kind, given or bequeathed to the said board;

13. to have in all respects the superintendence, management, and control of said union free schools, and to establish therein, in conformity with the regents rules, an academic department;

14. to provide, fuel, furniture, apparatus, and other necessaries;

15. to appoint . . . libraries;

16. to contract with and employ . . . qualified teachers . . . to determine the number . . . to be employed . . . to make and deliver to each teacher a written contract . . . employ such persons . . . to supervise, organize, conduct and maintain athletic, playground, and social center activities . . . to adopt rules and regulations governing . . . absences of all teachers and other employees and for the granting of leaves of absence;

17. to fill any vacancy which may occur in said board;

18. to remove any member of their board for official misconduct;

19. to provide and maintain suitable and convenient waterclosets;

20. to raise by tax upon the property of the district any monies required to pay the salary of the teachers employed;

21. to provide for the medical inspection of all children;

22. to provide, purchase, lease, furnish and maintain buildings or other suitable accomodations for the use of teachers or other employees of the district . . . when so authorized, to provide, maintain, and operate a cafeteria or restaurant service for the use of pupils and teachers

while at school;

23. to provide milk for pupils;

24. to provide transportation, home teaching or special classes . . . for physically or mentally handicapped and delinquent children;

25. to purchase and maintain . . . a motor vehicle or vehicles to be used for the transportation of the children of the school district;

26. to pay any judgment levied against the school district;

27. to contract with any person, corporation, or other school district for the conveyance of pupils residing within the district;

28. to furnish lighting facilities, janitorial care, and the supervision for highway underpasses . . . ;

29. to establish a petty cash fund;

30. to provide, in its discretion, compensation to a speaker or speakers at commencement day exercises . . . ; to reimburse candidates for teaching positions for actual travel and other necessar expenses incurred by them . . . ;

31. to explore, develop, and produce natural gas solely for school district purposes . . . ;

32. to provide, in its discretion, in-service training for its teachers;

33. to have in all respects the superintendence, management and control of the educational affairs of the district, and, therfore, shall have all of the powers reasonably necessary to exercise powers granted expressly

or by implication and to discharge duties imposed expressly or by implication by this chapter or other statutes;

34. to provide workmen's compensation coverage;

35. . . . to deduct from the salary of each employee such amount . . . for payment to any credit union;

36. to bring a cause of action in a civil court . . . to seek a judgment to receive damages from the parent or legal guardian . . . having custody over an infant over ten and less than eighteen years of age who willfully,maliciously or unlawfully damages or destroys real or personal property owned or maintained by the school district;

37. in its discretion, to provide that the proceeds of sale or appropriation, of school district real property shall . . . be used to reduce real property taxes . . . ;

38. to offer monetary awards . . . to individuals for information leading to the arrest and conviction of any person or persons for felonies or misdemeanors directly connected to vandalism of district property" (Education Law, Section 1709).

In regard to rules and regulations, state legislatures have generally established broad outlines for the operation of public education and then leave the details to a state education agency (in New York, the State Education Department) which establishes rules and

regulations governing the operation of schools within the state. In New York, Part 100 of the Commissioner's Regulations specifically addresses requirements for elementary and secondary education.

In regards to court decisions and legal interpretations in New York, the State Commissioner of Education is empowered to interpret the educational laws of the State. Of course, the courts also interpret the laws, and may act upon suits brought in order to determine a proper legal definition of the authority of school boards, Such legal interpretation is often required as a result of the doctrine of implied powers. The courts will usually allow school boards to exercise the following powers and no others:

1. Those expressly granted by statute;
2. Those fairly implied in, or incidental to, the powers expressly granted; and,
3. Those essential to the accomplishment of the schools' objectives (Goldhammer, 1964).

Thus, the degree to which a school board may function under implied powers is limited by the decisions of the courts.

In regards to societal demands, there has been a trend in American society to delegate increasing amounts of responsibility to local schools. As a result, schools have either ventured out on their own and justified their actions on the basis of implied powers, or the State legislature has extended the school board's powers to include these additional responsibilities (Goldhammer, 1964).

However, school board members are State, not local officials, since they execute a state function. In order for a board to act, it must do so in its corporate capacity, for any

transactions conducted at other than a formal meeting have no legal standing (New York State School Boards Association, 1993).

Individual board members cannot exercise the corportate authority of the board, as they have no legal authority as individuals (Danzberger and Usdan, 1992). Yet, board members (or entire boards) are often called upon by their communities to make decisions that are not within their purview. Many board members feel that they must respond to these constituent complaints or else they may not be re-elected (Kirst, 1994).

Thus, as the perception of public education's missions keeps expanding, so do the roles of board members (Bacal, 1987). Communities expect the public schools to educate children in more areas, to solve more problems, and yet to continue to maintain high academic standards. Conflict and frustration seem inevitable (Merz, 1984; Hayden, 1986; Budde, 1990).

What school board members believe about their roles, responsibilities, and scope of their authority has a direct impact upon the management of the district, its educational and related priorities, and professional relationships (Gross, 1958; Blumberg and Blumberg, 1985).

Membership on a board of education has been called the most ill-defined position in local government (Koerner, 1968; Cistone, 1977a; Lutz, 1980). Most school board members experience confusion about their roles and responsibilities (Goldhammer, 1964; Merz, 1984). They often come to the position with little familiarity about school law, the teaching-learning process, school finance, schools as organizations, and school board processes in general (Stout, 1984).

Gross (1958) has suggested that it takes a school board member some time to learn what are the acceptable and unacceptable behaviors for that role. Stout (1984) asserts that it is only after they become school board members that they begin the process of role personalization by becoming educated about school board activities and learning what it is that they need to know about school board membership. Kerr (1964) found that novice board members learned their roles primarily from school administrators. Instead of confirming Kerr's findings, Cistone discovered instead that, over time, the role definitions of novice board members did not converge toward those of school administrators, but rather towards those of experienced board members. Cistone (1977a, 1978), found that as a result of previous experience, novice board members usually began their board service with specific role expectations that changed little with experience.

Cameron (1987), and Tallerico (1991) both found that board member's previous experience with community groups were major sources of acquiring both process and content knowledge relative to being a school board member. Kerr (1964) found that the socialization process of school board members resulted in their seeing their roles as legitimating or defending the policies of the school district (and especially the administration) to the community, rather than representing the community to the school district.

In New York State, one avenue open to new school board members who wish to better understand their role, responsibility, and scope of their authority is to attend the annual two-day Seminar for New School Board Members that is presented by the New York State School Boards Association (NYSSBA). NYSSBA is an organization that provides many services to school boards, among them being a statewide orientation session that

provides newly-elected board members with information that is critical to the performance of their duties (New York State School Boards Association, 1991). This seminar attempts, via a series of lectures, workshops, and role-playing scenarios, to help newly-elected board members understand the role of the board of education as a corporate body, their individual roles upon that board, and encourages acceptance of certain broad principles of operation that have been derived from extensive school board experience. There is no requirement, however, that new school board members attend such an orientation; it is purely voluntary.

Method

Subjects

Upon request, the New York State School Boards Association (NYSSBA) provided addresses of a random sample of 300 sitting school board members of local school districts who had completed at least three years of experience as board members. The Big Five Cities were excluded from the study, since their selection processes often differ from those of other types of districts. Useable returns from a locally developed survey administered during the winter of 1993-94 were received from 105 respondents.

Materials

The authors developed a seven page survey as a part of a larger study. Only a small section of the survey is analyzed in this study. Each respondent was asked to indicate his or her belief about whether a board of education member had a role, responsibility, or the authority to undertake the activity indicated in the statement. Responses to the 20 statements were "yes,""no,"or "don't know." Respondents were also asked if they should have the responsibility or role to undertake the activity, but these responses are not included

in the present study.

The 20 items are initially treated separately with responses aggregated across the 105 respondents, and are reported in Table 1. A second analysis which treats the 20 items as a test of knowledge about the roles, responsibilities, and scope of authority was conducted. For the second analysis court rulings, Commissioner's decisions, and official opinions of officers in State agencies other than the State Education Department were accepted as the "correct" response, or belief. For those items which have not been tested in the courts, or by the Commissioner of Education, the assumption has been made that if the situation/ activity is not expressly stated as a duty of school board members under Section 1709, then the situation/activity is not allowed. This assumption is the same as the one in which is used when staff have to prepare drafts decisions for review by the Office of Counsel and the Commissioner. However, for the last two items the correct score was based upon the assumption that a board member did not have to give up any rights guaranteed to citizens in general in the State.

Results and Discussion

Table 1 presents the situations/activities, and the distribution of responses for each item.

Insert Table 1 about here

Analysis of individual items

Item number 1 was: "Entering a teacher's classroom to evaluate his/her teaching, at

the teacher's request." Most experienced board members (87 of 105) believed that such authority does not exist, while 12 respondents indicated that it does, and six did not know. The nature of such evaluation is usually stipulated in the teacher's contract, with a building administrator the typical person to conduct it. Sometimes a department chairperson, central office administrator, and/or a peer might be involved, but rarely, if ever, a board member. The duties of Section 1709 of Education Law do not include evaluation of teachers, and no Commissioner's decisions have dealt with this issue.

Item number 2 was "Asking staff members to complete certain tasks for you or other persons/groups in the community." Most experienced board members (88 of 105) believed that such authority does not exist, while ten respondents indicated that it does, and seven did not know. Experienced board members appeared wary of engaging in any kind of behavior that might be construed as using undue influence, abusing their authority as a board member, or putting others into an uncomfortable situation by asking for such tasks to be done in the first place. The Commissioner has also ruled that while boards should cooperate with parents and taxpayers who wish to take an active role in district affairs, such cooperation does not include making district employees available to help draft propositions, provide financial estimates, etc. (In the Matter of Harriet L. Pollack, 1974).

Nearly all of the respondents (91 0f 105) indicated that school board members do not have the authority to "Make recommendations to individual teachers regarding instructional methods/materials that you believe are better than those currently used" on the third item. Only ten respondents believed they had this authority, while four respondents indicated they did not know. The duties of Section 1709 of Education Law do not include selecting

instructional materials or suggesting instructional methodology, and no court or Commissioner's decisions have dealt with this issue.

Most respondents (74 of 104) believed that they had the authority for "Requesting individual copies of various district reports or data for your use as a board member, beyond what has already been provided to the board as a whole" as indicated in the fourth item. The courts have held that a board member is entitled to a "full inspection of all official records kept by a board of education or its employees of the business and affairs of the school district" (King v. Ambellan, 12 Misc 2d. 333). The Commissioner of Education has further held that while a board member may examine and make copies of any unqualified public records of the school district that deal with the affairs of the district, this right must be strictly qualified by the "rule of reasonableness" as outlined by the courts, and that individual board members may not direct administrative personnel to do anything beyond what is necessary to carry out such copying and/or inspection (i.e.,a board member may not direct the superintendent or others to carry out research projects requiring the collating or extracting of various types of information that would not be contained in existing records) (In The Matter of the Appeal of William A. Bruno, Jr., 1964). Of the remaining 30 respondents, 29 indicated that board members did not have the authority to ask for individual reports.

Item number 5 was: "Responding to individual staff complaints brought to your attention by indicating to the administration how to handle the situation. Only 20 of the respondents believed that school boards had this authority, while 81 of the 103 respondents indicated that school boards do not have this authority, and two did not know. This is

another item which has not been tested in the courts or by Commissioner's decisions. The activity is not expressly included in the list of duties cited by Section 1709.

The sixth item was "Responding to individual community complaints brought to your attention by indicating to the administration how to handle the situation." Neary three-fourths of the respondents (73) indicated that board members do not have this authority, 26 indicated that they do, and two did not know. This issue has not been tested with a court or Commisioner's decision, and is not expressly indicated as a duty under Section 1709.

Most board members did not think that they should tell the administration how to handle staff complaints, but many seemed more willing to direct the administration's actions when the complaint arises from the community. It may be that board members see themselves as being representatives from, and thus "responsive" to, the community; another possibility is that they may feel that this is one area where they are able to exert some "power" or influence, since most staff complaints and issues must be dealt with in a prescribed manner, often dictated by contract, past practice, etc., but such is not usually the case with community complaints. At some point in time, board members change their view of the public to "they" as a result of various external forces and experiences (Stout, 1984). Board members may also be mindful of the fact the it is the community which votes them in or out of office (Danzberger, 1994).

The seventh item asked board members if they had the authority for "Attending the Committee on Special Education meetings, at the request of the parent." Twenty-eight of the 101 respondents indicated the board did have the authority to attend CSE meetings, 57 respondents indicated the board did not have such authority, and 16 respondents did not

know. Roles and responsibilities surrounding special education seems to be an area of confusion for board members. Special education issues (both programmatic and financial) were mentioned by many board members as reasons why they ran for the board in the first place. Their comments suggested either a lack of understanding about how such programs are developed for special needs children, how they are supported by various State and Federal aid formulas, or suggested a general antipathy to special education as a whole. One board member wrote that handicapped children should not be "mixed" into the regular classrooms. Another one said that special education had been a "sacred cow" for too long. Thus, board members may feel that they have become little more than a passive rubber stamp for such programs, due to the higher number of mandates and their complexity. Board members seem to feel that this is one area of education in which they have absolutely no control, and they are seeking ways to become more informed. However, the Commissioner of Education has held that a board member may **not** attend a Committee on Special Education meeting at the request of the parents of a child with a handicapping condition since it represents an ethical conflict of interest (Matter of the Board of Education of the City School District of the City of Corning, 1986; Matter of Vento, 1987). This was later upheld in Matter of Wohl (105AD2d.999, affirmed 66NY2d.818). The implication here is that all board members may need more in-depth information about their legal roles and responsibilities for special education in an on-going manner as well as information about special education programs and services, since this is an area of education where requirements can change quickly.

The eighth item "Having your own business or firm enter into a contract with the

district for the provision of goods or services" was rejected by 93 of the 104 respondents who indicated boards do not have this authority. Only three people indicated they had the authority, and eight people did not know. The issue is one of a possible conflict of interest (Opinion of the State Comptroller, #636, 1979; Opinion of the State Comptroller #122, 1983).

Near unanimity was achieved on the ninth item "Having your own children be given certain considerations, such as enrollment in special programs instead of having to go through a selection process," with 102 of the 104 respondents indicating that board members do not have this authority. The other two respondents did not know if they had the authority. This issue has not been tested with a court or Commisioner's decision, and is not expressly indicated as a duty under Section 1709.

The 10th item was: "Intervening with teachers or administrators on behalf of a student in a disciplinary matter." Ninety of 103 respondents indicated that board members do not have the authority to intervene, while eight respondents indicated they did have the authority, and five indicated they did not know. Student discipline procedures are usually described in board policy as well as in a student code of rights and responsibilities, which the board must also adopt and periodically update (Education Law Sections 2801 and 3214, and Commissioner's Regulation 100.2[e][1]). Such policies and codes should describe the expected behavior from students, due process rights, and consequences for misbehavior. To have a board member substitute personal judgment in a student disciplinary matter could well indeed be a violation of a board's own policy. It could also constitute a conflict of interest, since the board also hears appeals regarding the application of its policies.

Nearly all respondents (97 of 104) were in agreement that school board members did have the authority to abstain from voting on any matter before the board as indicated by item 11. Six respondents did not believe they had the authority to abstain from voting, and one member did not know. Although the school board is charged with setting district policy under Section 1709, school board members may abstain from voting on issues. This issue has not been tested in the courts or by Commissioner's decisions.

The 12th item "Evaluating a school administrator at his/her request" was approximately evenly split among the respondents who indicated the board did have the authority (53), and those who indicated a lack of authority (47). Three respondents did not know. Again, such evaluation is usually stipulated in the contract. Boards evaluate the superintendent, but rarely, if ever, do they become involved in evaluating other administrators. Supervision of all other district employees is the responsibility of the superintendent.

The 13th item was: "At your own expense, publishing or otherwise making public distributions of your opinions of board issues." Again there was wide variability in the beliefs of the board members. A total of 36 respondents believed board members had such authority, 54 believed board members did not, and 13 did not know. The Commissioner of Education has determined that while an individual board member is not entitled to have his opinions published at district expense, he may do so at his own expense (In the Matter of the Appeal of Rita Wolff, 1978).

Item 14 was: "Making individual inspections of schools within the district at your own initiative." Fifty-six respondents indicated that board members did have the authority to

make individual inspections of school buildings, 40 indicated that board members do not have the authority, while five did not know. Education Law, Section 1708, states that:

> "Each board shall appoint one or more committees, to visit every school or department under its supervision and such committee or committees shall visit such schools at least once annually, and report at the next regular meeting of the board on the condition thereof."

The Commissioner of Education has held that an individual board member has no right or obligation to make such an official visit (Matter of the Appeal of William A. Bruno, Jr., 1964).

The pattern of response was reversed for item 15 "Calling a board meeting yourself, giving all appropriate parties at least 24 hours notice." Forty respondents indicated that board members did have the authority, 56 indicated that they did not, and five did not know. The Commissioner of Education has held that this is a permissible activity for a board member (Matter of Anthony F. Felicio, 1980).

Item 16 "Serving on board subcommittees" was the item with the second largest amount of agreement among respondents (100 board members indicating that they did have the authority to serve on board subcommittees, and three indicating they did not know). Having such subcommittees is permissible, and in the case of Education Law Section 1708, is required in some instances.

Item 17 was "Referring to administrators any questions regarding teachers' performance or allegations of deficiencies or improprieties." Five of the 104 respondents indicated that school board members do not have this authority, while the remainder (99) indicated that school boards do. This issue has not been tested with a court or Commisioner's decision, and is not expressly indicated as a duty under Section 1709.

The suggested activity in the 18th item was "Acquiring items belonging to the district, as long as there is a public record of the circumstances of such possession." Most experienced board members (76) did not believe they had the authority to acquire district-owned items, but a few indicated they did have the authority (10), and 16 did not know. In Matter of Keely, Greenfield, Johnson, et al. (1975), the Commissioner of Education stated that if there were valid reasons for a member of a board of education to have physical custody of district property, there should be a public record of the circumstances of such custody. However, most board members seem to feel that they would rather not have possession of any district property, regardless of the reasons, to avoid the suggestion of impropriety.

Item 19 was "Attending Committee on Special Education meetings when your own child's program is being discussed." Most (77) respondents believed that school board members had this authority, but 14 believed otherwise, and 16 held no opinion. Although this issue has not been tested in the courts, or by Commissioners' decisions, parental rights are not given up by accepting membership on the board of education.

The last item "Serving as clerk of the board for the district" had the largest number of respondents (56) who did not know if this authority existed. Of the remaining 47, 24 believed that a board member could take on this task. The In the Matter of the Appeal of Keith Hurtgam, Gerard Maybach, and Charles Stodolka (1982) says that Education Law authorizes a board member to hold simultaneously the position of district clerk.

The 20 Item Test

Although the 20 items were not designed to be a test of knowledge, they could serve as

one in order to examine whether the lack of knowledge was concentrated in a few respondents. The 20 items were scored right/wrong depending on whether the belief expressed was concordant with court and Commissioner's decisions, or Education Law, Section 1709. The situations/activities depicted in the items are those which are faced by school board members, and may be considered from a common knowledge based domain; the set has construct validity. The reliability of the full 20 item scale (Chronbachs alpha) was determined from the respondents to be .56. The distribution of raw scores for the respondents is provided in Table 2. The range of scores was from five to 18, with a mean of 13.4 and standard deviation of 2.57. The results were lower than expected from experienced school board members.

Insert Table 2 about here

A plot of raw scores against the number of years of serving on their current school board is provided in Figure 1. The lowest two scores were achieved by second and third term board members, and the three board members who have served over 25 years, scored slightly below average. The plot demonstrates the low relationship between knowledge and years of service.

Insert Figure 1 about here

There was agreement by 90 percent of the respondents in their perceptions for three of the 20 statements. When the percentage of agreement was lowered to 75 percent,

respondents agreed on only one-half of the items. There was less than 90 percent agreement among the respondents on all eight of the adjudicated activities, and less than 75 percent agreement on six of the eight. In fact, on four of the eight items the perceptions of the majority of respondents was in error. Highest percentages of agreement were found on: "having your own children receive special consideration", and "serving on board subcommittees." Among those items where there was the most disagreement in the perceptions of the authority of board members were "evaluating an administrator at his or her own request," and "at your own expense publishing or making public distributions of your own opinions of board issues."

In an attempt to determine if the test could be improved, the relationship of individual items to the total score was examined using the Reliability program of SPSS version 4.0 for pc's. Nine of the 20 correlations were not significantly different from zero. The resulting 11 item test had a mean of 8.1, a standard deviation of 2.38, and a reliability of .75. The reason the averagre dropped only five points for the nine items could not be determined (e.g. the items could be misunderstood by respondents, they could be more difficult, or they could belong to a different domain of knowledge), although the rejected items were all f those with a "yes" response as the correct one. The surviving items were numbers 1, 2, 3, 5, 6, 7, 8, 9, 10, 12, and 14. A new plot of years of service against the new raw score revealed a pattern very similar to that in Figure 1.

Conclusion

Most of these respondents had reported attending at least one New York State School Board Members Institute, and many had reported attending several. These institutes are for staff development, and include information on important issues for new and experienced board

members.

One possible explanation for such finding is that while board members may understand and agree with the principles being expoused during inservice training, it is quite another thing when they are not in such an idealized setting and instead are facing angry community members, a hostile media, uncooperative unions, etc. The result of personal experiences over time may color their perceptions and beliefs.

Thus, a substantial disagreement exists among school board members on some very general issues, and there is need for further inservice training. Currently there are no requirements for becoming a school board member, other than age or residency, and there is no requirement for inservice training. The New York State School Boards Association could provide a valuable service for school districts by providing their members with more information about the role, responsibilities, and the scope of authority of school board members as could local and regional school boards associations. This could be done through publications, and regional workshops, as well as sessions at the annual meeting. One such possibility is to assemble a compendium of all Commissioner's decisions involving boards of education, and updating it annully. This could be distributed to all board members, new and experienced, each year.

REFERENCES

Bacal, Eva K. On being a school board member. In American School Boards: The Positive Power. Alexandria, VA: National School Boards Association, 1987.

Blumberg, Arthur, & Blumberg, Phyllis The School Superintendent. Living With Conflict. NY: Teachers College Press, 1985.

Bryant, Miles T., & Grady, Marilyn L. Where boards cross the line. The American School Board Journal, October 1990, 20-21.

Budde, Ray. Restructure your school district to serve the needs of tomorrow, not yesterday. New York State School Board's Association Journal, March 1990.

Callahan, R. E. The American board of education, 1789-1960. In P. J. Cistone (Ed.), Understanding School Boards. Lexington, MA: D. C. Heath, 1975.

Cameron, Beatrice H. A national study on the selection of school board members. Ed.D. dissertation, Virginia Polytechnic Institute and State University, Blacksburg, Virginia 1987.

Carpenter, Reigh W., Jr. What makes Johnny and Mary run? Reminiscences of a veteran school board member. New York State School Boards Association Journal, September 1990, 16-18.

Cistone, Peter J. The socialization of school board members. Educational Administration Quarterly, 13(2), Spring 1977a, 19-33.

Cistone, Peter J. School board members learn their skills before they become school board members. The American School Boards Journal, 165(1), January 1978.

Cohen, E. Edmond. The best schools are built with good boards. New York State School

Boards Association Journal, July 1985, 8-9.

Commissioner's Regulation 100.11. Participation of Teachers and Parents in Shared Decision-Making. Albany, NY: New York State Education Department, 1992.

Danzberger, Jacqueline P. Governing the nation's schools. The case for restructuring local school boards. Phi Delta Kappan, 75(5), 1994.

Danzberger, Jacqueline P., & Usdan, Michael D. Strengthening a grass roots American institution: The school board. In First, Patricia F., & Walberg, Herbert J. (Eds.), School Boards: Changing Local Control. Berkeley, CA: McCutchen Publishing Corporation, 1992.

Education Law of New York State, Section 1604, Section 1708, Section 1709, Section 1804, and Section 2102.

Goldhammer, K. The School Board. NY: Center for Applied Research in Education, 1964.

Gross, Neal Who Runs Our Schools? NY: John Wiley and Sons, 1958.

Hayden, J. G. Crisis at the helm. The School Administrator, 43(10), November 1986, 17-19.

In the Matter of the Appeal of William A. Bruno, Jr., 4 Education Department Reports 14, 1964.

In the Matter of Appeal of Harriet L. Pollack, 14 Education Department Reports 77, 1974.

In the Matter of Appeal of Keith Hurtgam, Gerard Maybach, and Charles Stodka, 22 Education Department Reports 219, 1982.

In the Matter of the Appeal of Rita Wolff, 17 Education Department Reports 297, 1978.

Jakes, Harold E. Why did they run? Ontario Education, March/April 1983, 18-22.

Kerr, Norman D. The school board as an agency of legitimation. Sociology of Education,

Fall 1964, 38, 34-59.

King v. Ambellan, 12Misc2d.33.

Kirst, Michael W. A changing context means school board reform. Phi Delta Kapan, 75(5), 1994.

Koerner, James D. Who Controls American Education? Boston: Beacon Press, 1968.

Leone v. Hunter, 1959, 21Misc.2d.750, 191N.Y.S.2d.334.

Lutz, Frank W. Local school boards as sociocultural systems. In Cistone, Peter J. (Ed.), Understanding School Boards. Lexington, MA: D.C. Heath and Company, 1975.

Marlowe, John. One man's opinion: why you run for school board office. The American School Board Journal, 166(7), July 1979.

Matter of Anthony F. Felicio, 19 Education Department Reports 414, 1980.

Matter of the Board of Education of the City School District of Corning, 26 Education Department Reports 81, 1986.

Matter of Mary Keeley, Phyllis Greenfield, Peter Johnson, et al., 14 Education Department Reports 396, 1975.

Matter of Vento, 26 Education Department Reports 507, 1987.

Matter of Wohl, 105AD2d.299, affirmed 66NY2d.818.

Merz, Carol Smith. Conflict and frustration for school board members. Paper presented at the annual meeting of the American Educational Research Association, New Orleans, LA, April 23-27, 1984.

New York State School Boards Association. Seminars for New School Board Members. Albany, NY: 1991.

New York State School Boards Association. The School Board Member Handbook. Albany, NY: Author, 1993.

Norusis, Marija J. SPSS/PC+ for the IBM PC/XT/XT/AT. Chicago: SPSS Inc., 1986.

Opinion of the State Comptroller, 79-626, 1979.

Opinion of the State Comptroller, 83-122, 1983.

Rada, Roger D. An economic theory of school governance. Paper presented at the annual meeting of the American Educational Research Association, Washington, DC, April 22, 1987.

Rada, Roger D. A public choice theory of school board member behavior. Educational Evaluation and Policy Analysis, 10(3), Fall 1988.

Russo, Charles J. The legal status of school boards in the intergovernmental system. In First, Patricia F., & Walberg, Herbert J., School Boards: Changing Local Control. Berkeley, CA: McCutchan Publishing Corporation, 1992.

Stout, Julia G. Becoming a school board member: the socialization process. Paper presented at the annual meeting of the American Educational Research Association, New Orleans, April 23-27, 1984.

Tallerico, Marilyn. Local politics in practice: Learning to be a school board member. Paper presented at the annual meeting of the American Educational Research Association, Chicago, April 3-7, 1991.

Task Force on School Governance. Report of the Twentieth Century Fund Task Force on School Governance. New York: The Twentieth Century Fund Press, 1992.

Tillman, Carol S. Reflections of a former school board member. New York State School Boards Association Journal, March 1986, 11.

How Knowledgeable Are . . .

Table 1

Directions, Situations/Activities, and Response Distributions Indicating Beliefs about School Board Members' Roles, Responsibilites, and Scope of Authority

---

Directions: For each of the situations/activities described below, please make a mark to indicate whether you believe that board members **do have** or **do not have** the authority to engage in the described situation/activity, or if you **don't know** that such authority exists for board members.

	Situation/Activity	Yes	No	DK
1.	Entering a teacher's classroom to evaluate his/her teaching, at the teacher's request.	12	87*	6
2.	Asking staff members to complete certain tasks for you or other persons/groups in the community.	10	88*	7
3.	Making recommendations to individual teachers regarding instructional methods/materials that you believe are better than those currently used.	10	91*	4
4.	Requesting individual copies of various district reports or data for your use as a board member, beyond what has already been provided to the board as a whole.	74*	29	1
5.	Responding to individual staff complaints brought to your attention by indicating to the administration how to handle the situation.	20	81*	2
6.	Responding to individual community complaints brought to your attention by indicating to the administration how to handle the situation.	26	73*	2
7.	Attending the Committee on Special Education meetings, at the request of the parent.	28	57*	16
8.	Having your own business or firm enter into a contract with the district for the provision of goods or services.	3	93*	8

How Knowledgeable Are . . .

		Yes	No	DK
9.	Having your own children be given certain considerations, such as enrollment in special programs instead of having to go through a selection process.	0	102*	2
10.	Intervening with teachers or administrators on behalf of a student in a disciplinary matter.	8	90*	5
11.	Abstaining from a vote on any matter before the board.	97*	6	1
12.	Evaluating a school administrator at his/her request.	53	48*	3
13.	At your own expense, publishing or otherwise making public distributions of your opinions of board issues.	36*	54	13
14.	Making individual inspections of schools within the district at your own initiative.	56	40*	5
15.	Calling a board meeting yourself, giving all appropriate parties at least 24 hours notice.	40*	56	5
16.	Serving on board subcommittees.	100*	3	0
17.	Referring to administrators any questions regarding teachers' performance or allegations of deficiencies or improprieties.	99*	5	0
18.	Acquiring items belonging to the district, as long as there is a public record of the circumstances of such possession.	10*	76	16
19.	Attending Committee on Special Education meetings when your own child's program is being discussed.	77*	14	10
20.	Serving as clerk of the board for the district.	24*	56	23

* Correct response.

Table 2

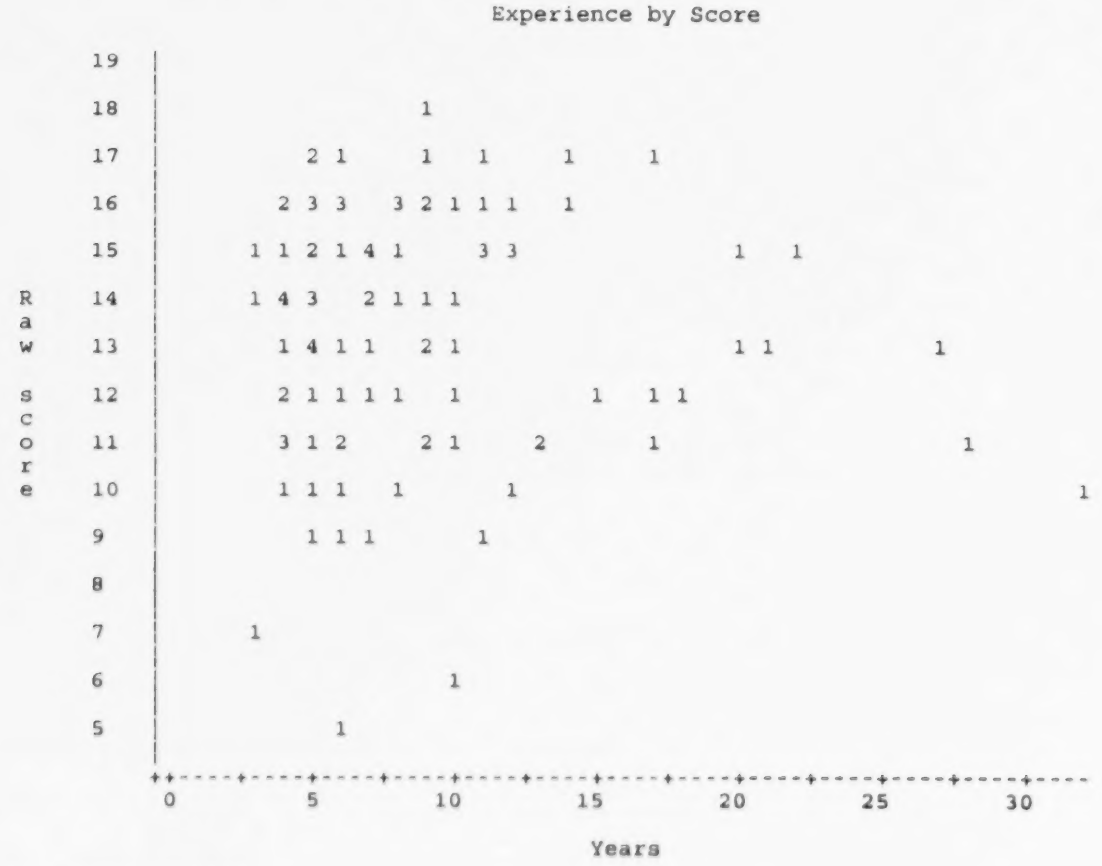
Distribution of Raw Scores by Experienced School Board Members

All 20 Items		11 Selected Items	
Score	Frequency	Score	Frequency
20	0		
19	0		
18	1		
17	7		
16	17		
15	18		
14	13		
13	13		
12	10		
11	13	11	14
10	6	10	24
9	4	9	20
8	0	8	9
7	1	7	9
6	1	6	13
5	1	5	6
4	0	4	6
3	0	3	2
2	0	2	1
1	0	1	1
0	0	0	0
Mean =	13.4		8.1
St. Dev. =	2.57		2.38

How Knowledgeable Are . . .

Figure 1

Plot of score distribution by Years of Experience



105 cases plotted.